

SUBPART C RANKING CRITERIA

514.13 Overview

The WRP regulation provides that the State Conservationist will, in consultation with the U.S. Fish and Wildlife Service and the State Technical Committee, rank WRP offers based on the estimated costs of restoration and easement acquisition, availability of matching funds, significance of wetland functions and values, estimated success of restoration measures, and the duration of a proposed easement with permanent easements being given priority over non-permanent easements.

This part provides guidance for establishing and utilizing the ranking criteria.

514.14 Establishing Ranking Criteria

a Purpose

Ranking criteria will enable the State Conservationist to prioritize easement offers within each State based on the environmental criteria described above. Each State will develop a ranking system to ensure consistent and efficient WRP implementation. The ranking process assists State Conservationists with determining the projects that merit enrollment. However, such ranking does not vest any right or entitlement to funding by an applicant.

b Ranking Criteria Emphasis

The ranking criteria will emphasize:

- Habitat for migratory birds and other wetland dependent wildlife, including songbirds, shorebirds, and waterfowl.
- Habitat for declining species.
- Water quality.

Additional wetland functions, such as floodwater retention, may be included in the ranking criteria.

c Special Projects

State level special projects:

The State Conservationist has the authority to give priority to an easement offer in a particular geographic area even though the individual easement offer might not otherwise rank high enough to be accepted. This policy provides an opportunity to the State Conservationist to begin a WRP initiative in an area that has been

determined important for WRP involvement regardless of specific individual site ranking. Therefore, all offers within a State WRP initiative area may receive higher priority than offers elsewhere in the State.

National level special projects:

The Director of WWD may consider proposals and allocate funds for special projects that will achieve national program objectives. These special projects are appropriately outside of the individual State ranking criteria and allocation process. Special project proposals may be submitted at any time throughout the year. The National Program Manager will coordinate such special project efforts with the Director, WWD, and the State Offices concerned.

The State Conservationist's decision to select a special project over an unfunded applicant on the ranking list is not appealable.

d Ranking Criteria Development

The State Conservationist, with assistance from the State Technical Committee, will establish a weighted ranking process to prioritize all eligible applications considering the factors described in paragraph (e) and (f). Priority should be given to those applications that will provide the maximum wildlife benefits associated with the restoration and protection of wetland functions and values with consideration being given to water quality and all associated acquisition and restoration costs.

Separate ranking criteria should be developed for permanent easements, 30-year easements, and restoration agreements. The point spread on the ranking system should be of sufficient size to allow differentiation between applications.

When a wetland has previously been restored but is not fully protected by an easement, as described in [paragraph 514.11\(f\)](#), the restoration will be considered a positive attribute in the ranking process.

Generally, higher priority should be given to easement offers:

- That involve lands that show evidence of crop or forage production within the previous 5 years,
- On privately owned land, and

Note: State and local government land may be enrolled when there are unique ecological reasons or special circumstances that further the objectives of the program.

- Where successful restoration work will not be complicated by unusual permit problems.

Example: If there are cultural resources that would be negatively affected and the permit process would be complex and lengthy, the site may not warrant further consideration. At a minimum, the permit question should be fully incorporated into the site consideration.

e Ecological Ranking Considerations

At a minimum, the ranking process will include the following ecological considerations:

- Habitat for migratory birds, wildlife, and declining species.
- Location significance.
- Water quality.
- Operation and maintenance requirements (see paragraph (f)).
- Likelihood that the site will retain its habitat functions and values after the easement or agreement period ends. The ranking process should consider both the physical site conditions and the ownership pattern that may result in some form of increased protection such as a separate conservation easement or purchase agreement.
- Amount of hydrology restoration including the area restored, and the increment of restoration.

Hydrology restoration potential should comprise at least 50-percent of the potential points awarded for ecological considerations. Hydrology points should be awarded on both the percentage of the area restored and the increment restored.

A diversity of wetland types (e.g., forest and water) and the inclusion of adjacent non-wetland buffer lands (e.g., pothole and grassland nesting cover) are important ecological and management considerations. Therefore, the maximum hydrology restoration points may be assigned to easements having **at least** 30 percent of the offered acreage suited to full hydrology restoration and/or enhancement (i.e., the hydrology has been completely removed and will be fully restored on **at least** 30 percent of the offered easement acreage, or the hydrology has been altered and will be enhanced significantly to benefit a target species or species group on **at least** 30 percent of the offered easement acreage.) Although full ranking points may be assigned when the 30 percent threshold is met, if the hydrology of the entire easement area has been altered by either onsite or offsite drainage/watershed alterations, efforts must be undertaken, to the extent practicable, to fully restore the hydrology to the entire easement area.

Example 1: An area with 30 percent of the surface area having hydrology restoration should rank higher than another site with only 20 percent of the area to be restored.

Example 2: An area that has lost essentially all of the hydrology and where most of the original hydrology will be restored should rank higher than a site where the natural hydrology is only moderately altered and is being restored.

To receive hydrology restoration ranking points, the hydrology restoration/enhancement practices must provide water conditions (e.g., surface ponding) suitable for the full life-cycle needs of wetland dependant wildlife species that historically occurred in the area.

Example: Semi-permanent or permanent water areas for summer and fall utilization must be provided where waterfowl or shorebird use during these seasons historically occurred within or in the general vicinity of the easement or agreement area.

f Operation and Maintenance Ranking Considerations

Difficult engineering design and operation and maintenance situations should be reflected in the ranking consideration. A potential WRP site that would likely have unusual high risk operation and maintenance characteristics, beyond those normally viewed as acceptable for a specific type of practice, would receive a lower ranking score than a site that does not have such potential for unusual risk.

Example: Hydrology restoration requires the construction of a dike in an area that is subject to unusual high velocity flows or a potential site has poor foundation characteristics.

Do not consider operation and maintenance costs that would normally be a part of a restoration practice, such as a routine water control structure on a normal site, as a negative aspect in the ranking consideration. This policy is not intended to direct the selection of projects that have no operation and maintenance requirements. Comparisons should not be made between practices such as structures and vegetation.

All manageable water control structures must be accompanied by specific operation plans. See section 514.24 for implementation design provisions.

g Cost Ranking Considerations

At a minimum, the ranking process will include the following cost considerations:

- Easement cost per acre.

- Restoration unit costs. When the estimated per unit restoration cost is:
 - Equal to the per-unit cost on the established cost list, the offer should receive zero points for this component.
 - Greater than the per-unit cost on the established cost list, points should be subtracted from the cost factor.
 - Less than the per-unit cost on the established cost list, points should be awarded to the offer.

The intent of this policy is for the ranking to be influenced by the cost efficiency of restoration activities based on the practice cost list, and not by the total amount associated with the restoration work.

Example: The practice cost list per unit rate for dike construction is \$1.50 per foot or per cubic yard. This rate may include all components of the practice. When the practice is being established for \$1.50 the ranking score is not affected. If the cost estimate for dike construction is \$0.75 per unit, then bonus points would be assigned.

- Partnership contributions that reduce NRCS cost, such as in-kind services or funding. The State Conservationist shall ensure NRCS has financial control for the full amount of funding and the complete flexibility to determine in what manner and by whom the future restoration work will be done. When a landowner or other entity is offering to cover part of the projected restoration costs, the part that is being pledged to the program as a means of receiving favorable ranking consideration, must be under NRCS financial control or deducted from the landowner easement payment at closing. Landowners may request that NRCS not consider the partnership contribution in the ranking process.

NRCS will make no commitments that would constrain future ability and flexibility to plan, design, and implement easement practices of any type.

- Precluded disaster payments.

Note: During the ranking process, cost factors should be estimated using comparable easement costs, agricultural land values, and established restoration costs.

h Exceptions to Ranking

The State Conservationist, in consultation with the State Technical Committee:

- Should give priority to an eligible easement offer which augments existing or concurrent WRP acquisition efforts in an area, even though the

particular easement offer may not rank as high as easement offers elsewhere in the State. This authority is useful to:

- Obtain projects in special water quality target areas.
 - Obtain contiguous wetland areas under easement protection, such as along river corridors or within drainage districts.
 - Further the effective restoration of previously enrolled land.
 - Reduce habitat fragmentation and boundary/management problems.
- Should consider riparian areas separately from other eligible areas since their size and functions may not compare easily with wetland areas.
 - May enter into special cooperative partnership agreements with other entities to jointly implement a project(s) of priority to that entity without going through a detailed ranking procedure. Such projects must be clearly consistent with WRP restoration objectives and be an integral part of a recognized conservation program of that entity. Furthermore, the entity must be willing to provide special implementation expertise and fund leveraging to the extent that an obvious increase in the ecological and cost efficiencies of the WRP effort would be achieved by such a special partnership approach. A third party may make a programmatic offer of financial assistance or in-kind services in order to get a series of projects of a particular type or in a particular area to be rated higher in priority.
 - May enroll wetlands that are ecologically significant, but their values may not be captured through a quantitative ranking system. Each exception must be clearly documented in the case file.

Example: Inholdings in a conservation area would potentially exhibit marginal wetland functions but, if enrolled, would enable substantial restoration and enhancement of the surrounding area.

i Ranking Process

Each State will develop a process to collect and rank each application.

- The State Conservationist will:
 - Develop ranking criteria, in consultation with the State Technical Committee. Separate ranking criteria will be developed for permanent easements, 30-year easements, and restoration agreements when appropriate.

Example: Ranking a site based on potential value for a species whose habitat will require 50 or 100 years to recover, such as restoring an

open field to habitat for the Louisiana bear or for forest dependent neotropical migratory bird species. This criterion would be applicable to a permanent easement but not to a 30-year easement or restoration agreement.

- develop a form to record the ranking criteria;
- develop a process to collect data and rank the applications;
- document:
 - the functions and values of any wetlands enrolled as exceptions to the ranking process; and
 - State Technical Committee's recommendations and comments regarding any wetlands enrolled as exceptions to the ranking process.
- Field Office Staff will:
 - complete ranking form with the landowner including input provided by FWS, CD, and State Wildlife Agency representative;
 - forward the ranking form to State Conservationist;
 - receive from:
 - landowners any voluntary offer of accepting a lesser per acre easement value; and
 - partners any offers to contribute financially or with in-kind services.